

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

UNITED STATES,

Plaintiff,

v.

No. 23-20191

DEMETRIUS HALEY,

Defendant.

DEMETRIUS HALEY'S MOTION ADDRESSING SEALED DOCUMENTS

Comes now the defendant, Demetrius Haley, by and through his counsel of record, and moves this court to keep all pleadings addressing the potential contents of the juror questionnaire which will be administered and all pleadings which address and discuss potential evidence, the admissibility of which hasn't been determined such as potential 404(b) evidence, sealed. He has no objection to several pleadings filed under seal being unsealed if, consistent with L.R. 8.1, this court finds it appropriate to unseal them. In support thereof, Mr. Haley would show:

1. This court has granted the motion to use a juror questionnaire as part of the *voir dire* process. (R. 113, Order). It has also effectively ruled that the case will be tried in Memphis and not yet granted any alternative relief regarding the jury pool. (R. 243, Minutes April 4, 2024 RD). While the ruling

was without prejudice, given the anticipated jury pool, local publicity remains a concern. Mr. Haley strongly believes that the first people, excepting trial participants, who see the questionnaire should be the citizens required to fill it out. As such, Mr. Haley believes R. 208, 210, 211, 213, 219 should remain sealed. He would note that while R. 227 is related to the questionnaire, it contains general statements only and he takes no position on it remaining sealed.

2. The parties have filed several pleadings which discuss potential 404(b) evidence in some specific factual detail. Pleadings which mention specific factual incidents should remain sealed pending trial. These include R. 130, 146, 228.

3. The remaining pleadings currently sealed because they were filed in that manner are R. 154, 175, 176, 195, 216, 231, 236, 237, 238, 239, and 250. These were filed under seal by either the United States or Emmitt Martin, III. They do not implicate Demetrius Haley and he takes no position on whether they should remain sealed.

WHEREFORE, PREMISES CONSIDERED, Demetrius Haley prays this court grant his motion and order the pleadings addressing the contents of the juror questionnaire and discussing specific instances of conduct not yet admitted at trial noted in paragraphs 1 and 2 of this motion under seal.

Respectfully submitted,

S/Michael J. Stengel

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Certificate of Service

I hereby certify that I have served a copy of the foregoing Motion Addressing Sealed Documents by electronic means, via the Court's electronic filing system, on AUSA's David Pritchard, Libby Rogers, Kathryn Gilbert, and Forrest Christian this 25th day of April, 2024.